



**Decatur Police Department
Decatur, Alabama**

General Order No. 426.0

Subject: Written Directive System	Effective Date: September 25, 2019	Revised Date: September 25, 2019
Title: Immigration Procedures	Pages: 2	Distribution: All Members
Cross Reference: CALEA Reference Chapters N/A	Chief of Police Approval Nathaniel Allen	

POLICY

It is the policy of the Decatur Police Department to comply with local, state or federal laws while protecting the rights of all citizens living or visiting our community.

DEFINITIONS

Section 287(g) Agreement: Partnership between ICE and a state or local law enforcement agency that delegates authority to state and local enforcement officers to perform immigration enforcement functions.

PROCEDURES

The enforcement of immigration law is primarily the responsibility of the federal government, through the United States Immigration and Custom Enforcement Agency ("ICE").

1. Section 287(g) agreements under 8 U.S.C. 1357 are voluntary agreements which require local consent. DPD will refrain from entering into these agreements, as they are not consistent with furthering DPD's community policing philosophy.
2. Officers will not undertake any immigration-related investigation unless said operation involves an individual who has committed crimes directly related to public safety and as outlined in section 5.
3. Assisting ICE in enforcing civil immigration laws is not permitted unless approved by the Chief of Police.
4. Individual may not be detained or arrested solely for a suspected violation of immigration law.



5. DPD will only cooperate with lawful requests from ICE under the following circumstances, after approval has been granted by a Division Commander or the Chief of Police and when individuals are:
 - a. Engaged in or is suspected of terrorism or espionage;
 - b. Reasonably suspected of participating in criminal activities as defined by State Statute or city ordinance. If the subject is suspected of being an undocumented alien, ICE may be contacted with approval from a Division Commander or the Chief of Police;
 - c. Classified as previously deported felons.
6. Additionally, DPD may assist ICE agents only if they anticipate or encounter violent resistance and/or with the approval of a Division Commander or the Chief of the Police.
7. When time and circumstances allow, approval should be obtained from a Division Commander or the Chief of Police prior to detaining an individual for any of the reasons outlined above.
8. Any notification or contact with ICE for the purpose of detaining or apprehending individuals should only be made with the approval of a Division Commander or the Chief of Police.
9. An individual's right to file a police report or otherwise receive services from DPD is not contingent upon their citizenship or immigration status.
10. Officers shall strive to treat all individuals equally and fairly regardless of their immigration status.
11. Officers shall not inquire into the immigration status of persons encountered during police operations. Officers shall not ask any individual to produce a passport, Alien Registration Card (Green Card) or any other immigration documentation. This does not prohibit an officer from considering these documents as appropriate forms of identification when voluntarily provided by the individual to establish someone's identity.
12. Although officers will not request identification to determine a person's immigration status, they may request identification from individuals as they enforce traffic violations and/or conduct criminal investigations.